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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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06/14/2005

Takeshi Chonan

123910

5655

25944 7590 07/09/2009

OLIFF & BERRIDGE, PLC  
P.O. BOX 320850  
ALEXANDRIA, VA 22320-4850

EXAMINER

JACKSON, MONIQUE R

ART UNIT

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1794

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DELIVERY MODE

07/09/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Art Unit: 1794

Continuation of Item No. 11. NOTE: The Applicant's Declaration and arguments filed 6/3/09 have been considered but are not persuasive with respect to the obviousness rejection over Kondo. Though the Examiner has withdrawn the anticipation rejection over Inoue et al, the Examiner maintains her position that one having ordinary skill in the art at the time of the invention would have been motivated to utilize any composite tungsten oxide as the shielding particles as taught by Kondo, wherein Inoue et al would still provide a suggestion to determine the composition of the composite oxide to provide the desired optical and shielding properties for a particular end use. It is further evidenced that composite tungsten oxides or tungsten bronzes which have the known formula  $M_{1-x}WO_3$  with x being greater than 0 but less than 1, are well established in the art as providing improved radiation shielding properties as evidenced by Baltzer (USPN 2,952,575), Gillery (USPN 3,457,106), Mochel (USPN 3,505,108) or Yadav (US 2005/0271566.) Hence, the Examiner maintains her position that one having ordinary skill in the art at the time of the invention would have been motivated to utilize any tungsten composite oxide, particularly those known in the art as providing improved radiation shielding properties such as those reading upon the instantly claimed formula, in the invention taught by Kondo, given the reasonable expectation of success.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monique R. Jackson whose telephone number is 571-272-1508. The examiner can normally be reached on Mondays-Thursdays, 10:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Callie Shosho can be reached on 571-272-1123. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1794

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Monique R Jackson/  
Primary Examiner, Art Unit 1794  
July 7, 2009